

REMARKS

Favorable consideration and allowance are requested for claims 46-68 in view of the following remarks.

Status of the Application

Claims 46-68 are pending in this application. Claims 1-45 were previously cancelled. Claims 46-56, 59, 60, and 62-68 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,771,747 to Mednikow (the “Mednikow patent”). Claims 57, 58, and 61 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Mednikow patent as applied to claims 54 and 59 above, and further in view of U.S. Patent No. 3,196,822 to Bertin *et al.* (the “Bertin patent”).

Rejections under 35 U.S.C. § 102(b)

According to the outstanding Office Action, the Mednikow patent anticipates the subject matter of claims 46-56, 59, 60, and 62-68. In response, and with respect to independent claim 46, Applicant respectfully submits that this claim is directed to a method for assisting the landing and/or takeoff of a powered flying object with the following features:

- (A) providing a relative to a landing and/or takeoff area stationary-generated fluid current, in order to introduce energy into the flying object,
 - (A.1) wherein the fluid current provided has a certain specific density,
- (B) detecting information on the flying object, and
- (C) enriching the provided fluid current
 - (C.1) in response to the detected information

(C.2) by at least one substance of higher specific density

(C.3) to increase its deceleration effect and/or its acceleration effect, respectively.

In particular, Applicant submits that at least features C, C.1, C.2, and C.3 of claim 46 are not disclosed by the Mednikow patent. Mednikow suggests using blowers and associated baffles for directing air currents toward an aircraft during the approach of the aircraft or during take-off of the aircraft to reduce the speed of the aircraft relative to a stationary ground point (*see* col. 2, lines 16-30, 36-43). Two or more radar transmitters or receivers located on opposite sides of movable landing strips may be used such that the optimum speeds of moving surfaces and the optimum direction and intensities of air currents may be automatically calculated; and a computer automatically or an operator manually may initiate the movements, directions, and intensities (*see* col. 3, lines 17-26). Such radar transmitters or electronic eyes may be mounted on or adjacent to the airstrip lights or fire-extinguishers or elsewhere as may be desired with the preferred automatic control by way of computer, radar, electric eye, or control systems with regard to the movable strips, baffles, blowers, rates, and directions and intensities of movement, with the take-off and landing operations using conventional or known computer, radar, electric eye, and control systems (*see* col. 3, lines 33-43).

Further in the Mednikow patent, aligned along opposite parallel edges of the strip 1 are also a series of fire-extinguishers 7 (col. 4, lines 36-39). It appears that the outstanding Office Action considers the fire-extinguishers 7 mentioned

in the Mednikow patent to disclose features C, C.1, C.2 and C.3 of claim 46.

However, the Mednikow patent only mentions the presence of fire-extinguishers and their optional locations, without any comment on the operation and control of the fire-extinguishers.

The Mednikow patent does not disclose that the fire-extinguishers could be operated at the same time as the blowers providing an air current, or that any substance in the fire-extinguishers could be released such that it mixes with the air current output by the blowers. Thus, there is no disclosure in the Mednikow patent that the fire-extinguishers could be used for enriching the air current provided by the blowers, and, consequently, there is no disclosure of feature C of claim 46.

In addition, the Mednikow patent does not disclose that the air fluid provided by the blowers is enriched by the fire-extinguishers in response to detected information on a flying object. And there is no suggestion in the Mednikow patent that the fire extinguishers could be controlled by the radar transmitters. According to the Mednikow patent, the radar transmitters are only provided for controlling movable strips, baffles, blowers, and rates, directions, and intensities of air-currents/movement, take-off and landing operations (*see col. 3, lines 37-43*). None of these aspects relate to the fire-extinguishers or to the operation of the fire-extinguishers or to the control of the fire-extinguishers. Thus, there is no disclosure of feature C.1 of claim 46.

Further, the Mednikow patent does not disclose that the fire extinguishers could contain a substance having a higher density than the air provided by the blowers, and, in fact, there would be no need to do so as there are fire-extinguishing substances having a lower density than air. Thus, there is no disclosure of feature C.2 of claim 46.

Finally, fire-extinguishers are not provided to increase the deceleration effect or the acceleration effect of the air current provided by the blowers of the Mednikow patent, but rather to enable fire-fighting or suppression. The purpose and the requirements of any implementation resulting therefrom are completely different. Thus, there is also no disclosure of feature C.3 of claim 46.

For at least these reasons, the Mednikow patent does not anticipate the subject matter of independent claim 46. In fact, Applicant respectfully submits that the Mednikow patent has no relation to the presented invention, specifically with regard to how the effect of the air current provided by the blowers could be additionally influenced.

Applicant also submits that the subject matter of independent claim 54 is not anticipated by the Mednikow patent for at least the reasons presented above with respect to independent claim 46. As the subject matter of the independent claims is not disclosed in the Mednikow patent, Applicant believes that dependent claims 47-53, 55, 56, 59, 60, and 62-68 are also patentable over the Mednikow patent for the reasons stated above. In addition, set forth below is a

short discussion further distinguishing selected dependent claims from the Mednikow patent.

Claim 65 requires “determining based on the detected information whether enriching the provided fluid current is necessary in order to achieve a required deceleration effect or acceleration effect, wherein enriching the provided fluid current in response to the detected information by at least one substance of higher specific density comprises enriching the provided fluid current by at least one substance of higher specific density if determined to be necessary.” First, the Mednikow patent does not disclose any determination whether enriching the air current provided by the blowers could be needed to achieve a required acceleration or deceleration effect. Further, it is not clear how a substance provided by a fire-extinguisher could or would be used for supporting the acceleration or deceleration effect of a provided air current whenever needed. The substance provided by a fire-extinguisher is not selected to be particularly suited to support an acceleration/deceleration effect of an air current. In addition, such use of an extinguisher might be prohibitively expensive. Also, an extinguisher may well have negative effects on a flying object and/or on the airstrip that should be avoided as long as there is no fire or risk of fire. In any event, the Mednikow patent does not disclose or suggest such an approach. The same analysis applies to corresponding apparatus claim 67.

Applicant also submits that it is not apparent why a fire-extinguisher would be controlled in response to detected information on a speed of a flying

object, on the height of a flying object, on a weight of a flying object, or on the shape of a flying object, as set forth in claims 66 and 68. Even if a radar is suited to detect speed, there is no suggestion in the Mednikow patent that a fire-extinguisher could be controlled based on information provided by radar, much less that it could be controlled based on speed information provided by the radar.

Rejections under 35 U.S.C. § 103(a)

According to the outstanding Office Action the combination of the Mednikow and Bertin patents renders claims 57, 58, and 61 obvious. In response, Applicant respectfully submits that the Bertin patent does not disclose the subject matter of independent claim 54 missing from the Mednikow patent, as discussed above. As each of claims 57, 58, and 61 has claim 54 as its base claim, these claims are also patentable.

For example, even assuming that the Mednikow patent discloses the subject matter of claim 54 (which it does not), it is not clear why heating of an air-stream as presented in the Bertin patent would render obvious a cooling element as required by claim 58 of the present application. The purpose of the heating in the Bertin patent is to reduce the relative humidity of a gas (see col. 4, lines 22-43). This effect cannot be achieved by cooling an airstream.

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If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #102167.57012US).

Respectfully submitted,

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